HIGH COURT OF BOMBAY AT GOA.

CIVIL APPLICATION (REVIEW) NO. 2 OF 2005.
IN
C.A. NO.216/2004
IN
FIRST APPEAL NO.199 OF 2004

Mr. Pravin Duttatray Dessai
and another. ... Applicants.

V/s

Mr. Radhakant R. Pai Kane ... Respondent.

Mr. V.A. Lawande, Advocate for the applicants.

Mr. S.M.S. Usgaonkar, Advocate for respondent.

CORAM: A.P. LAVANDE, J.

DATE: 30TH MARCH, 2005.

ORAL ORDER.

The applicants who are the respondents in First Appeal No.199/2004 seek review of order dated 10.12.2004 passed by this Court.

2. Heard Mr. Lawande for the applicants and Mr. Usgaonkar for the respondent. According to Mr. Lawande, learned Counsel appearing for the applicants, order dated 10.12.2004 could not have been passed by this Court since no such relief was sought by the appellants. According to Mr. Lawande, the order

discloses an error apparent on the face of the record. According to Mr. Usgaonkar, learned Counsel appearing for the respondent, the order was passed after hearing both the sides and there is absolutely no error apparent on the face of record justifying granting of the application filed by the applicants.

3. It is well settled that review jurisdiction has to be exercised when there is error apparent on the face of record and scope of review is very limited. An order even if it is wrong cannot be set aside by exercising review jurisdiction. Perusal of order dated 10.12.2004 does not disclose error apparent on the face of record. I am, therefore, unable to accept the submissions of the learned Counsel for the applicants.

4. I do not find any merit in this application. Accordingly the application stands dismissed.

A.P. LAVANDE, J.

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